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TO: Commissioner for Patents COMPANY NAME: U.S. Patent & Trademark Office
FROM: John P. Breen TELECOPY NO.: 571.273.8300
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Fax Transmitted: August 14, 2007

Applicant: Wittwer et al.

Invention: **Container For Carrying Out And Monitoring Biological Processes**

U.S. Serial No.: 09/631,339

Filed: August 3, 2000

Docket No.: 43387-66667

☒ Response to Notice to File Corrected Application Papers

☒ Copy of Notice to File Corrected Application Papers

A return facsimile message with an image of this page from the U.S. Patent & Trademark Office acknowledges receipt of the indicated papers.

CLIENT # 43387
MATTER # 66667

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BARNES & THORNBURG LLP11 South Meridian Street
Indianapolis, Indiana 46204
(317) 236-1313
(434) 220-2866 Fax**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No. 49437

Confirmation No.: 9681

Application No.: 09/631,339

Invention: **Container For Carrying Out And
Monitoring Biological Processes**

Applicant: Wittwer, et al.

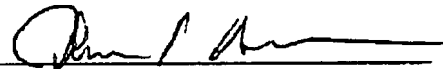
Filed: August 3, 2000

Attorney

Docket: 43387-66667

Examiner: William Beisner

Certificate Under 37 CFR 1.8(a)

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(Signature)John P. Breen
(Printed Name)**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22213-1450

Sir:

The captioned application has been accorded an Allowance Date and is being prepared for issuance. However, on July 18, 2007 a Notice to File Corrected Application Papers was issued for the captioned application. More particularly, the Notice indicated that the application contained drawing deficiencies with regards to Figs. 3 and 4.

Upon review of Figs. 3 and 4 applicants could detect no error in the figures.

Accordingly, on August 13, 2007, applicants had a teleconference with Nadine Clark at the

US App. No. 09/631,339
Response to 7/18/07 Notice

Office of Patent Publication of the US Patent and Trademark Office to request a clarification of the objection to Figs. 3 and 4. During that conversation Ms. Clark indicated that Figs. 3 and 4 appeared to have lead lines that were not labeled with a reference line. The undersigned attorney noted that element 35 (a thermal coupler sensor) and element 31 (a heating coil) were drawn with electrical wire(s) extending away from the respective elements. Ms. Clark confirmed that the indicated wire(s) leading away from elements 31 and 35 are what she believed represented unlabeled lead lines. Accordingly, applicants respectfully submit that Figs. 3 and 4 currently of record do not contain unlabeled lead lines, and thus the drawings currently on file are free of any defects.

Applicants respectfully request acceptance of the current set of drawings and passage of the application to issuance.

Respectfully submitted,



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UNITED STATES PATENT AND TRADEMARK OFFICE

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P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Serial No. 09/631,339
Applicant : Wittwer
Filing Date 07/06/2004
Date Mailed : 07/18/2007

NOTICE TO FILE CORRECTED APPLICATION PAPERS*Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to "Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450".*

Office of Patent Publication
Phone: 703-308-9250, ext.144

page 1 of 2

Application No. 09/631,339 Drawings filed 8/3/00

IDENTIFICATION OF DRAWING DEFICIENCIES

- ☐ There are holes punched in the illustration. FIG(s) _____
- ☐ The character of the lines, numbers and letters are poor/ faded. FIG(s) _____
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) _____
- ☐ A date stamp obscures part of the illustration. FIG(s) _____
- ☐ The drawing is solid black box or marred by black smudges, obliterations, or fax/copier marks. FIG(s) _____
- ☐ Figure number is duplicated/missing. Drawing sheet is missing. FIG(s). _____
- ☐ Numbers, letters, or reference characters in the drawing have been crossed out by hand and are illegibly handwritten. FIG(s) _____
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) _____
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) _____
- ☒ Missing data, part of the drawing is cut off, lead line no reference number
FIG(s) 3 & 4
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.81(u)(1). FIG(s) _____
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) _____
- ☐ Color drawings are present in this application but the following CFR 1.84 (a) requirements have not been met*:
- ☐ Petition filed
 - ☐ Petition fee
 - ☐ 3 sets of color drawings
 - ☐ Color drawing paragraph

*If color drawings are not elected, then applicant must respond so stating. Also, references to color drawings in the specification, if any, must be amended.

COMMENTS: